



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,932	12/19/2001	Wayne C. Hom	2019.313	2565
7590 03/30/2005				
FITCH, EVEN, TABIN & FLANNERY 120 SO. LASALLE STREET, SUITE 1600 CHICAGO, IL 60603-3406		EXAMINER NGUYEN, NAM V		
		ART UNIT 2635		PAPER NUMBER
DATE MAILED: 03/30/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <span style="float: right;">K</span> 10/027,932	Applicant(s) HOM ET AL.	
	Examiner Nam V Nguyen	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This communication is in response to applicant's Amendment filed January 14, 2005, entered by a request for continued examination.

An amendment to the claims 1, 11 and 17 has been entered and made of record in the application of Hom for a "method and apparatus for providing a programmable gate security system" have been entered and made of record.

Claims 1-28 are pending.

### ***Response to Arguments***

Applicant's amendment and arguments with respect to claims 1-28, filed January 14, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2635

Claims 1-10, 17-20, 22-23 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) and further in view of Lee (US# 5,204,663).

Referring to claims 1 and 17, Noren discloses a reprogrammable security system for limiting access to a protected area (column 2 lines 14 to 38; column 7 lines 25 to 43; see Figure 2) comprising:

a) a movable barrier (12 or 14) (i.e. a slide door) for allowing access to a restricted area (i.e. a controlled building) (column 1 lines 32 to 39; column 3 lines 10 to 17; see Figure 1);

b) a motor (24) (i.e. a door motor) operatively attached to said barrier (12) for opening and closing said barrier (12) (column 3 lines 12 to 45; see Figures 1-2);

c) a control system (26) (i.e. a control unit) for controlling operation of said motor (24) (column 3 lines 29 to column 4 lines 33; see Figures 2 and 4);

d) an activation device (36) (i.e. a program module) semi-permanently (i.e. when the programming module is connected to the door control unit by a connector 37 through an rs-232 interface 72) to said control system (26) (i.e. a control unit) (column 3 lines 45 to 63; column 4 lines 34 to 65; see Figure 5) wherein said device (36) comprises data describing actions of said control system (26) (i.e. a control unit) and responsive to input signals (22, 32 or 34) received by the control system (26), said actions performing functions of said control system (26) (column 4 lines 48 to column 6 lines 44; see Table 1).

However, Noren did not explicitly disclose a replaceable activation device semi-permanently connectable to said control system; and wherein the control system automatically

Art Unit: 2635

reads and utilizes the data from the activation device to activate the functions of the control system.

In the same field of endeavor of control system, Gerken et al. teaches a replaceable activation device (i.e. EPROM) semi-permanently (i.e. removable or on the zero insertion force socket to facilitate replacement) connectable to said control system (i.e. a logic controller board) (column 4 lines 14 to 23; column 9 lines 32 to 38; see Figures 1 and 3) in order to adapt the controller to diverse operating parameters and control functions easily.

One of ordinary skilled in the art recognizes the need to replace of the programmable memory chip in the logic board with a new programmable memory chip containing a different set of instruction of Gerken et al. in a programming module with the allowable range of functions values to program the security automatic door of Noren because Noren suggests it is desired to reprogramming the codes of the function values to control the door control unit (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Gerken et al. teach that the logic unit incorporates a microprocessor utilizing an erasable programmable memory component that is adapted to be easily replaced (column 9 lines 32 to 38) in order to adapt the controller to diverse new operating parameter and control functions easily. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to replace of the programmable memory chip in the logic board with a new programmable memory chip containing a different set of instruction of Gerken et al. in a programming module with the allowable range of functions values to program the security automatic door of Noren with the motivation for doing so would have been to replace the content of the memory for an access control system operates easily and directly.

However, Noren in view of Gerken et al. did not explicitly disclose wherein the control system automatically reads and utilizes the data from the activation device to activate the functions of the control system.

In the same field of endeavor of gate operator control system, Lee teaches the control system (20) (i.e. an acceptor) automatically reads and utilizes the data (i.e. data structure) from the activation device (12) (i.e. an integrated circuit chip of a smart card 10) to activate the functions (i.e. set-up or self-diagnostic) of the control system (20) (column 5 lines 19 to 48; column 6 line 46 to column 7 line 35; column 10 line 49 to column 11 line 21; see Figures 1 to 6) in order to replace specified data pattern in lock memory automatically.

One of ordinary skilled in the art recognizes the need to read data from an integrated circuit automatically to initialize an access control logic of an access control system of Lee in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. because Noren suggests it is desired to reprogramming the codes of the function values to control the door control unit (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Lee teaches that an acceptor downloads data structure from an integrated circuit into the random access memory for automatically updating access codes and setting up control program for the customer or a self-diagnostic to determine if the system has been properly operating as programmed (column 9 line 55 to column 10 line 48) in order to increase security and ability to update, to erase or to replace the control program in memory directly. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to read data from an integrated circuit automatically to initialize an access control logic of an access control system to set up or to

Art Unit: 2635

diagnose the operating program of Lee in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. with the motivation for doing so would have been to replace the content of the memory for an access control system operates automatically and directly.

Referring to claims 2 and 18, Noren in view of Gerken et al. and in view of Lee disclose the security system of claims 1 and 17, Noren discloses further comprising a sensing system (52) (i.e. sensor interface to sensors) for sensing factors used by said control system (26) for determining when to open or close said gate (12) by activation of said motor (24) (column 3 lines 29 to 45; column 3 line 64 to column 4 line 33; see Figures 1-2 and 4).

Referring to claims 3-4 and 19-20, Noren in view of Gerken et al. and in view of Lee disclose the security system of claims 1-2 and 17-18, Noren discloses wherein activation of said functions further comprises varying the operational parameters of said functions (column 5 line 21 to column 6 line 65; see Table 1).

Referring to claim 5-6, 21 and 23, Noren in view of Gerken et al. and in view of Lee disclose the security system of claims 1-2, 17 and 19, Noren discloses wherein said control system (26) includes a socket (37) (i.e. a connector) for ease of inserting and removing said activation device (36) from said system (26) (column 3 lines 46 to 50; column 4 lines 48 to 65; see Figures 2-3).

Art Unit: 2635

Referring to claims 7-8 and 25-26, Noren in view of Gerken et al. and in view of Lee disclose the security system of claims 1-2 and 17-18, Noren discloses wherein said activation device (36) has a read/write capability so that an activation code on said device (36) can be changed to allow selective activation of various features of said system (i.e. sliding door system) (column 4 lines 34 to column 6 line 44; see Figure 5 and Table 1).

Referring to claims 9-10 and 27-28, Noren in view of Gerken et al. and in view of Lee disclose the security system of claims 1-2 and 17-18, Noren discloses wherein said activation of functions includes activation of latent capabilities of said system (column 4 lines 34 to column 6 line 44; see Figure 5).

Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) and in view of Lee (US# 5,204,663) and in further view of Stobbe (US# 5,491,471).

Referring to claim 11, Noren in view of Gerken et al. and in view of Lee discloses a method for varying the operational parameters of a security system, to the extent as claimed with respect to claim 1 above, however, Noren in view of Gerken et al. and in view of Lee did not explicitly disclose matching the code on the device with a look up table of codes saved in a memory of the system and activating features of the security system associated with the matched code.



In the same field of endeavor of gate operator control system, Stobbe teaches matching the code (34) (i.e. authorization data) on the device (16) (i.e. a reading device with EEPROM 20) with a look up table of codes (46) (i.e. check data) saved in a memory of the system (28) (i.e. in a central evaluating unit) (column 4 lines 57 to 64; column 6 lines 65 to column 7 line 8; see Figures 1-2) and activating features of the security system (11) (i.e. an access control system) associated with the matched code (column 6 lines 23 to 52) in order to allow access to the area.

One of ordinary skilled in the art recognizes the need to match the authorization data from a reading device with the check data stored in the central evaluating unit of Stobbe in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. and in view of Lee because Noren suggests it is desired to reprogramming the codes of the function values to control the door control unit automatically (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Stobbe teaches that an authorization data is compared with check data contained within central evaluating unit to allows access to the area if authorization data matches the check data (column 6 line 65 to column 7 line 8) in order to control access of individuals to a secure area. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to match the authorization data from a reading device with the check data stored in the central evaluating unit of Stobbe in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. and in view of Lee with the motivation for doing so would have been to provide a security door operating system with a programmed control unit with high level of authorized access codes.

Referring to claims 12-14 and 16, Noren in view of Gerken et al. and in view of Lee and in further view of Stobbe disclose a method of claim 11, the claims 12-14 and 16 same in that the claims 3, 7 and 9 already addressed above therefore claims 12-14 and 16 are also rejected for the same obvious reasons given with respect to claims 3, 7 and 9.

Referring to claim 15, Noren in view of Gerken et al. and in view of Lee and in further view of Stobbe disclose a method of claim 12, Lee discloses wherein the step of changing authorization codes (i.e. reprogrammable of access codes) for an entities allowed to enter a secure area protected by said security system upon the using a code by the entity to activate opening of a security barrier controlled by the security system (column 5 lines 19 to 48; see Figures 5 and 7).

Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) and in view of Lee (US# 5,204,663) as applied to claims 21 and 23, and in further view of McCutchan et al. (US# 6,002,591).

Referring to claims 22 and 24, Noren in view of Gerken et al. and in view of Lee discloses a method of claims 21 and 23, however, Noren in view of Gerken et al. and in view of Lee did not explicitly disclose wherein the device is held in the socket by a clip.

In the same field of endeavor of printed circuit board assembly, McCutchan et al. teach the device (45) (i.e. an integrated circuit device) is held in the socket (46) by a clip (65) (i.e. a

Art Unit: 2635

spring clip) (column 4 line 46 to column 5 line 5; see Figure 1-2 and 4A) in order to capture the integrated circuit device therein.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to use a clip to capture an integrated circuit device therein of McCutchan et al. with a program module connect to the control unit by a connector of Noren in view of Gerken et al. and in view of Lee because using a clip would hold the connector in place that has been shown to be desirable in the door operating system with programmed control unit that connect to a program module of Noren in view of Gerken et al. and in view of Lee.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al. (6,218,956) disclose a gate operator with remote diagnostic capability.

Landt (US# 6,677,852) discloses a system and method for automatically controlling or configuring a device, such as an RFID reader.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

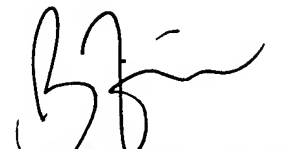
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the

Art Unit: 2635

organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
March 19, 2005



BRIAN ZIMMERMAN  
PRIMARY EXAMINER